



Legislative Bulletin.....March 5, 2007

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- H.R. 247**—Jim Weaver Forest Service Trail Designation Act

Summary of the Bills Under Consideration Today:

Total Number of New Government Programs: 2

Total Cost of Discretionary Authorizations: At least \$30.5 million over five years

Effect on Revenue: \$0

Total Change in Mandatory Spending: \$0

Total New State & Local Government Mandates: 0

Total New Private Sector Mandates: 0

Number of Bills Without Committee Reports: 11

Number of Reported Bills that Don't Cite Specific Clauses of Constitutional Authority: 0

H.R. 122 — To amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Inland Empire regional recycling project and in the Cucamonga Valley Water District recycling project (Dreier, R-CA)

Order of Business: The bill is scheduled to be considered on Monday, March 5, 2007, under a motion to suspend the rules and pass the bill.

Summary: H.R. 122 would authorize \$20 million for the Secretary of the Interior in cooperation with the Inland Empire Utilities Agency to design and construct a new regional water recycling project in Southern California. The federal share of the cost of the project could not exceed 25 percent.

H.R. 122 would also authorize an additional \$10 million for the Secretary of the Interior, in cooperation with the Cucamonga Valley Water District, to design and construct recycling plants in Rancho Cucamonga, California, to reclaim and recycle roughly two million gallons per day of domestic wastewater. The federal share of the cost of the project could not exceed 25 percent.

Committee Action: H.R. 122 was introduced on January 4, 2007, and referred to the House Committee on Natural Resources, which took no official action.

Cost to Taxpayers: A cost estimate is not available for H.R. 122. However, the bill would authorize \$30 million for the creation of two new water projects in California.

Does the Bill Create New Federal Programs or Rules?: Yes. The bill would create two new water projects.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Constitutional Authority: A committee report citing constitutional authority is unavailable.

House Rule XIII, Section 3(d)(1), requires that all committee reports contain “a statement citing the *specific* powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution” [*emphasis added*].

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**H.R. 467 - Southern Idaho Bureau of Reclamation Repayment Act of 2007
(Simpson, R-ID)**

Order of Business: The bill is scheduled for consideration on Monday, March 5, 2007, under a motion to suspend the rules and pass the bill.

Summary: H.R. 467 would allow landowners within the A&B Irrigation District in Idaho to repay their portion of the construction costs of the District project facilities at any time. Once a landowner discharges his debt, the land would no longer be subject to the full-cost pricing limitations under federal reclamation law. The landowner discharging his debt could request certification from the Secretary of the Interior that the debt has been repaid.

Additional Background: The House passed the same bill by voice vote last year (H.R. 5666).

Committee Action: H.R. 467 was introduced on January 12, 2007, and referred to the Committee on Resources' Subcommittee on Water and Power. The subcommittee took no further official action.

Cost to Taxpayers: A CBO score of H.R. 467 is unavailable. An informal score for H.R. 5666 last year reported that this bill would have no significant effect on the federal budget.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Constitutional Authority: A committee report citing constitutional authority is unavailable.

House Rule XIII, Section 3(d)(1), requires that all committee reports contain "a statement citing the *specific* powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution" [*emphasis added*].

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H.R. 276 — Piedras Blancas Historic Light Station Outstanding Natural Area Act of 2007 (*Capps, D-CA*)

Order of Business: The bill is scheduled for consideration on Monday, March 5, 2007, under a motion to suspend the rules and pass the bill.

Summary: H.R. 276 would establish the Piedras Blancas Historic Station Outstanding Natural Area as a part of the National Landscape Conservation System. The bill exempts the land from appropriation, disposal, mining, and mineral and geothermal leasing. The Secretary of the Interior is directed to complete a management plan within 3 years of enactment. Additionally, the Secretary must manage the land in a manner so as to preserve and restore the light station facilities; and to conserve, protect and enhance the historical, natural, cultural, scientific, educational, scenic, and recreational values of the area. Under the bill, all other

uses of the land are to be prohibited. The management plan should provide for a continuing public education program about the light station.

Native Americans would be allowed to continue to use the Area for traditional cultural and religious purposes. At the request of the Native American community, the Natural Area can be closed to the public during cultural and traditional uses.

Lands adjacent to the Natural Area would be considered appropriate for acquisition for inclusion in the Area.

The bill lists a number of findings, including the following:

- “The publicly owned Piedras Blancas Light Station has nationally recognized historical structures that should be preserved for present and future generations;
- “The coastline adjacent to the Light Station is internationally recognized as having significant wildlife and marine habitat that provides critical information to research institutions throughout the world;
- “The Light Station tells an important story about California’s coastal prehistory and history in the context of the surrounding region and communities;
- “The coastal area surrounding the Light Station was traditionally used by Indian people, including the Chumash and Salinan Indian tribes;
- “The Light Station is historically associated with the nearby world-famous Hearst Castle (Hearst San Simeon State Historical Monument), now administered by the State of California;
- “The Light Station represents a model partnership where future management can be successfully accomplished among the Federal Government, the State of California, San Luis Obispo County, local communities, and private groups.
- “Piedras Blancas Historic Light Station Outstanding Natural Area would make a significant addition to the National Landscape Conservation System administered by the Department of the Interior’s Bureau of Land Management; and
- “Statutory protection is needed for the Light Station and its surrounding Federal lands to ensure that it remains a part of our historic, cultural, and natural heritage and to be a source of inspiration for the people of the United States.”

Additional Background: The House passed the identical bill by voice vote last year (H.R. 3534).

Committee Action: H.R. 276 was introduced on January 5, 2007, and referred to the Committee on Resources, which took no official action.

Cost to Taxpayers: Although there is no CBO estimate available for H.R. 276 this year, the CBO score for H.R. 3534 last year reported that the legislation would authorize less than \$100,000 annually.

Does the Bill Expand the Size and Scope of the Federal Government?: Yes, the bill directs the federal government to manage and proscribe uses for the area.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Constitutional Authority: Although a committee report citing constitutional authority for H.R. 276 is unavailable, the committee report for H.R. 3534 last year cited constitutional authority in Article I, Section 8, Clause 3 (the congressional power to regulate interstate commerce).

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H.R. 903—Colorado Northern Front Range Mountain Backdrop Protection Study Act (*Udall, D-CO*)

Order of Business: The bill is scheduled to be considered on Monday, March 5, 2007, under a motion to suspend the rules and pass the bill.

Summary: H.R. 903 would direct the Secretary of Agriculture, acting through the Chief of the Forest Service and in consultation with the state and local officials and agencies, to study specified lands in southern Boulder, northern Jefferson, and northern Gilpin Counties, Colorado (i.e. certain lands in and adjacent to the Arapaho and Roosevelt National Forests), and report to such officials and to Congress on the following:

- The present ownership of such lands;
- Which undeveloped land may be “at risk of development;” and
- Actions that could be taken by the United States, the State of Colorado, or any other parties to preserve the open and undeveloped character of such lands.

The bill defines “undeveloped” as land that is free or primarily free of structures, the development of which is likely to adversely affect its scenic, wildlife, or recreational value.

The bill affirmatively states that, “Nothing in this Act shall be construed as authorizing the Secretary of Agriculture to take any action that would affect the use of any lands not owned by the United States.”

Committee Action: H.R. 903 was introduced on February 7, 2007, and referred to the House Committee on Natural Resources, which took official action.

Cost to Taxpayers: Although an estimate for H.R. 903 is not available, CBO estimated that a similar bill offered last Congress would have no significant impact on the federal budget.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Constitutional Authority: A committee report citing constitutional authority is unavailable.

House Rule XIII, Section 3(d)(1), requires that all committee reports contain “a statement citing the *specific* powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution” *[emphasis added]*.

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H.R. 995 — To amend Public Law 106-348 to extend the authorization for establishing a memorial in the District of Columbia or its environs to honor veterans who became disabled while serving in the Armed Forces of the United States (*Hare, D-IL*)

Order of Business: The bill is scheduled for consideration on Monday, March 5, 2007, under a motion to suspend the rules and pass the bill.

An identical bill, H.R. 4275, passed the House during the 109th Congress by voice vote on July 10, 2006.

Summary: H.R. 995 would exempt the establishment of the Memorial to Honor Disabled Veterans of the United States Armed Forces from compliance with the Commemorative Works Act by extending the authority for constructing the memorial from the end of 2007 to October 24, 2015.

Additional Information: The legislation to establish a memorial on the National Mall to honor disabled U.S. Veterans was introduced by Rep. Sam Johnson, a former U.S. Air Force pilot and Prisoner of War during the Vietnam conflict. President Clinton signed the legislation into law on October 24, 2000. For more information on this Memorial, please [click here](#).

Committee Action: H.R. 995 was introduced on February 12, 2007, and referred to the Committee on Natural Resources' Subcommittee on National Parks, Forests, and Public Lands, which took no official action.

Cost to Taxpayers: A CBO score of H.R. 995 is unavailable. However, for an identical bill (H.R. 4275) passed in the 109th Congress, CBO estimates that enacting it would have no significant impact on the federal budget.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Constitutional Authority: A committee report citing constitutional authority is unavailable.

House Rule XIII, Section 3(d)(1), requires that all committee reports contain “a statement citing the *specific* powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution.” *[emphasis added]*

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H.R. 299 — Lowell National Historical Park Boundary Adjustment Act (Meehan, D-MA)

Order of Business: The bill is scheduled for consideration on Monday, March 5, 2007, under a motion to suspend the rules and pass the bill.

An almost identical bill, H.R. 395, passed the House during the 109th Congress by voice vote on December 5, 2006.

Summary: H.R. 299 would adjust the boundaries of the Lowell National Historical Park to include five parcels of land located in the City of Lowell, Massachusetts.

Committee Action: H.R. 299 was introduced on January 5, 2007, and referred to the Committee on Natural Resources’ Subcommittee on National Parks, Forests, and Public Lands, which took no official action.

Cost to Taxpayers: A CBO score of H.R. 299 is unavailable, but the bill does not authorize new expenditures. An informal estimate for H.R. 395 last year reported that the bill would have no significant impact on the federal budget.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Constitutional Authority: A committee report citing constitutional authority is unavailable.

House Rule XIII, Section 3(d)(1), requires that all committee reports contain “a statement citing the *specific* powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution.” *[emphasis added]*

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H.R. 1047 — To authorize the Secretary of the Interior to conduct a study to determine the suitability and feasibility of designating the Soldiers’

Memorial Military Museum located in St. Louis, Missouri, as a unit of the National Park System (*Clay, D-MO*)

Order of Business: The bill is scheduled for consideration on Monday, March 5, 2007, under a motion to suspend the rules and pass the bill.

An almost identical bill, H.R. 452, passed the House during the 109th Congress by voice vote on December 13, 2005.

Summary: H.R. 1047 would direct the Secretary of Interior to determine the suitability and feasibility of designating the Soldiers Memorial Military Museum in St. Louis, Missouri, as a unit of the National Park System.

Additional Background: According to the Committee Report for H.R. 452 in the 109th Congress ([House Report 109-319](#)), the Memorial is a tribute to all of the veterans living in the greater St. Louis area. It was originally authorized by the City of St. Louis in 1923, and opened to the public on Memorial Day in 1938. The City of St. Louis pays for the Memorial's current annual budget of \$192,000, but local officials have expressed that the memorial faces an uncertain future *without federal assistance* and would like a federal agency to take over administration of the site (*emphasis added*).

Committee Action: H.R. 1047 was introduced on February 14, 2007, and referred to the Committee on Natural Resources, which took no official action.

Cost to Taxpayers: A CBO score of H.R. 1047 is unavailable. **However, for H.R. 452 last year, CBO estimated that the bill would cost roughly \$200,000 over the next three years.**

Does the Bill Expand the Size and Scope of the Federal Government?: The bill requires a new study to determine whether the National Park System could and should be expanded.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Constitutional Authority: A committee report citing constitutional authority is unavailable.

House Rule XIII, Section 3(d)(1), requires that all committee reports contain "a statement citing the *specific* powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution." (*emphasis added*)

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H.R. 376 — To authorize the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of including the battlefields and related sites of the First and Second Battles of Newtonia,

Missouri, during the Civil War as part of Wilson's Creek National Battlefield or designating the battlefields and related sites as a separate unit of the National Park System (Blunt, R-MO)

Order of Business: The bill is scheduled for consideration on Monday, March 5, 2007, under a motion to suspend the rules and pass the bill.

A bill containing almost identical text, S.1829, passed the House during the 109th Congress by a voice vote on December 6, 2006. The bill, because it was amended by the House, was never re-passed by the Senate or signed into law.

Summary: H.R. 376 would direct the Secretary of the Interior to conduct a resource study relating to the First and Second Battles of Newtonia in Missouri to determine the feasibility of adding the battlefields and related sites as part of Wilson's Creek National Battlefield or the National Park System. For additional information on this Civil War battle, please [click here](#).

Committee Action: H.R. 376 was introduced on January 10, 2007, and referred to the Committee on Natural Resources' Subcommittee on National Parks, Forests, and Public Lands, which took no official action.

Cost to Taxpayers: A CBO score of H.R. 376 is unavailable.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Constitutional Authority: A committee report citing constitutional authority is unavailable.

House Rule XIII, Section 3(d)(1), requires that all committee reports contain "a statement citing the *specific* powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution." *[emphasis added]*

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H.R. 807 — Columbia Space Shuttle Memorial Study Act (Gohmert, R-TX)

Order of Business: The bill is scheduled for consideration on Monday, March 5, 2007, under a motion to suspend the rules and pass the bill.

An almost identical bill, H.R. 5692, passed the House during the 109th Congress by voice vote on September 27, 2006.

Summary: H.R. 807 would direct the Secretary of the Interior to conduct a feasibility study to add at least four parcels of land in Texas to the National Park System as memorials to the Space Shuttle Columbia disaster. The study may consider only lands which would be donated for the purpose of memorializing the disaster. The bill includes a description of four sites that may be donated for memorials. The Secretary is allowed to make suggestions for other sites for National Park System memorials.

Additional Information: On February 1, 2003, the Columbia Space Shuttle disintegrated upon re-entry over the skies of north Texas, killing the seven crewmembers aboard. The four parcels of land listed in the bill had debris from Columbia's disintegration fall within their boundaries.

For additional information on the Space Shuttle Columbia Disaster, please visit [this NASA website](#).

Committee Action: H.R. 807 was introduced on February 5, 2007, and referred to the Committee on Natural Resources' Subcommittee on National Parks, Forests, and Public Lands, which took no official action.

Cost to Taxpayers: A CBO score of H.R. 807 is unavailable. An informal cost estimate for last year's bill reported that the legislation would authorize about \$200,000.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Constitutional Authority: A committee report citing constitutional authority is unavailable.

House Rule XIII, Section 3(d)(1), requires that all committee reports contain "a statement citing the *specific* powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution." *[emphasis added]*

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H.R. 497—Brigadier General Francis Marion Memorial Act (Wilson, R-SC)

Order of Business: The bill is scheduled to be considered on Monday, March 5th, under a motion to suspend the rules and pass the bill.

Summary: H.R. 497 would authorize the Marion Park Project, a committee of the Palmetto Conservation Foundation, to establish a commemorative work on federal land in the District of Columbia (or its environs) to honor Brigadier General Francis Marion. Federal funds could not be used to pay for any aspect of the memorial, and any funds collected for the

establishment of the memorial—yet not used for such establishment—would have to be forwarded to the U.S. Treasury.

Additional Background: As the legislation notes, Brigadier General Marion commanded the Williamsburg Militia Revolutionary force in South Carolina during the American Revolution and was instrumental in delaying the advance of British forces by leading his troops in disrupting supply lines. Brigadier General Marion’s newly developed tactics included lightning raids on British convoys, after which he and his forces would retreat into the swamps to avoid capture—hence his nickname, “The Swamp Fox.”

As the legislation also notes, Brigadier General Marion’s troops are believed to be the first racially integrated force fighting for the United States, as his band was a mix of whites, free and enslaved blacks, and American Indians.

For more information on Marion, visit this website:
<http://www.americanrevwar.homestead.com/files/MARION.HTM>.

RSC Bonus Fact: Since 1878, United States Reservation 18, located between 4th and 6th Streets, SE at the intersection of E Street and South Carolina Avenue, SE, Washington, DC, has been officially referred to as Marion Park.

Committee Action: On January 16, 2007, the bill was referred to the Natural Resources Committee, which took no subsequent action.

Cost to Taxpayers: Although a formal CBO cost estimate for this bill is unavailable, the legislation explicitly prohibits the use of any federal funds for the commemorative work.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: Though the bill contains no earmarks, and there’s no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

Constitutional Authority: A committee report citing constitutional authority is unavailable.

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**H.R. 247—Jim Weaver Forest Service Trail Designation Act
(DeFazio, D-OR)**

Note Possible Conservative Concerns Below

Order of Business: The bill is scheduled to be considered on Monday, March 5th, under a motion to suspend the rules and pass the bill.

Summary: H.R. 247 would designate U.S. Forest Service trail number 3590 in the Willamette National Forest in Lane County, Oregon, as the “Jim Weaver Loop Trail” under Section 4 of the National Trails System Act (16 U.S.C. 1243) (regarding certain requirements for designation, such as consent of the appropriate people and reasonable accessible to urban areas). Presumably, the required consent from the State of Oregon has been received. The Secretary of Agriculture would have to prepare, install, and maintain an appropriate sign at the trailhead of the Jim Weaver Loop Trail to indicate the name of the trail and to provide information regarding the life and career of former Congressman Jim Weaver.

Additional Background: The existing trail is a 19.6-mile trail that begins and ends at North Waldo Campground and circumnavigates Waldo Lake in Lane County, Oregon.

Congressman James Howard Weaver served in the House of Representatives from the 94th Congress through the 99th Congress (January 3, 1975-January 3, 1987). He was a former subcommittee chairman of the Committee on Resources and active in conservation issues.

RSC Bonus Fact: Rep. Peter DeFazio, the sponsor of this legislation, was once a staffer for Rep. Jim Weaver.

Committee Action: On January 5, 2007, the bill was referred to the Natural Resources Committee, which took no subsequent action.

Possible Conservative Concerns: Conservatives may be concerned with naming a peaceful trail after a former congressman known for his vitriolic political rhetoric. For example, Jim Weaver recently said that he expected Republicans to stage a terrorist attack and declare martial law before the 2006 elections in order to hold on to congressional majorities. Furthermore, Weaver has said repeatedly in public that he “hates Republicans” and has misjudged how “vicious” they can be.

<http://media.www.thevoyager.net/media/storage/paper977/news/2005/10/17/News/Former.Congressman.Faults.Democratic.Party-2058082.shtml?nrewrite200612041118&sourcedomain=www.thevoyager.net>

Weaver once said: “Republicans have to lie, and I mean this very seriously. They couldn't possibly get elected otherwise.”

http://www2.eugeneweekly.com/2002/10_24_02/news.html#news1.

The Eugene Weekly reports that the “cantankerous” Weaver “rocked the establishment with his loud, intense and eloquent advocacy for wilderness preservation, his attacks on the nuclear power industry, his stand against the Vietnam War and wasteful military spending, and his objections to herbicide and pesticide proliferation.”

http://www2.eugeneweekly.com/2002/10_24_02/news.html#news1.

Weaver has also come to be known for harsh rhetoric against President Bush and his supporters, including but certainly not limited to:

“Doves are powerless against hawks. They can beat the [expletive] out of us anytime. George Bush can right now,” he says. “The only chance we’ve got is voting, because we’ve got the numbers.” Also: “George Bush in his speech yesterday — a dozen lies in a five-minute speech.” http://www2.eugeneweekly.com/2002/10_24_02/news.html#news181

Lastly, conservatives may be concerned about naming a trail after a congressman cited by the Democrat-controlled Ethics Committee for using campaign money for personal investments: <http://select.nytimes.com/gst/abstract.html?res=F50716FA3C5C0C7B8CDDA90994DE484D81>.

Cost to Taxpayers: Although a cost estimate for this bill is unavailable, the CBO estimate for an identical bill last Congress (H.R. 1090) reported that this legislation would yield no significant costs to the taxpayer.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: Though the bill contains no earmarks, and there’s no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

Constitutional Authority: A committee report for H.R. 247 is unavailable. Last Congress, the Resources Committee, in House Report 109-331, cited constitutional authority in Article I, Section 8 (the long list of congressional powers), but failed to cite a specific clause of authority. House Rule XIII, Section 3(d)(1), requires that all committee reports contain “a statement citing the *specific powers* granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution.” [*emphasis added*]

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